

Considerations concerning common fields, and inclosures, dialoguewise, digested into a deliberative discourse between two supposed friends, Philopeustus and Parrhesiastes. And tending partly to state and determine the question of lawfulness or unlawfulness between inclosures, and common fields, partly to answer some passages, which may be thought to make against inclosure in general, in another discourse lately published by Mr John Moore, under this title, The crying sinne of England, of not caring for the poor.

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The Publiſher to all ingenious, and judicious, unprejudicate, and impartial Readers, wiſheth outward proſperity in all things, together with the inward peace of a good Conſcience.

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Mat. 7.3, 4.

Why beholdest thou the mote that is in thy brothers eye, but considerest not the beam that is in thine own eye? Or how wilt thou say to thy brother, Let me pull out the mote out of thine eye, and behold, a beam is in thine own eye?

LONDON, Printed for *Abel Roper*, and are to be sold at the signe of the Sun, over against *St Dunstons Church* in Fleet-street. 1654.

**PSEUDOMISUS *to* PHILORTHUS; *OR*, The
Author to his Friend.**

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SIR,

I

F you chance to see in print (as peradventure you may doe) a little

discourse under this Title, *Considerations concerning Common Fields & Inclosures*, and conceive (as I suppose you will doe) that it was penned by me, I shall owe you an account of one thing, and entreat another of you, both which I thinke it not amisse to acquaint you with now. That which I shall owe you an account of, is, the concealing of my name; and, to deal clearly with you, I doe it, partly because I am not willing yet to relinquish an old resolution, which I put on long ago, never to permit my name to be printed with

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any work of my own; partly because I now conceive it somewhat necessary to do so, to the end that neither the Author, nor the Book may speed the worse for one another. I know what briars and thorns are with me, & amongst what Scorpions I dwell, whose words though I may not be afraid of, nor dismayed at their looks, which God forbid his Prophet, *Ezek. 2.6*. Yet I must not forget, that our Saviour himself, *Mat. 10.16.28*. at the same time when he said unto his Disciples, Feare not them which kill the body, said likewise, be ye wise as serpents; whose waies upon rocks, as *Agur* observes, *Pro. 30.18*, &c. were amongst those things, which he knew not. And for him, that would endure hardness, as a good soldier of Jesus Christ, a Breast-plate of Innocence, and a Shield of Patience, will not alwaies be defensive armour enough, without an Head-piece of prudent circumspection; which sometimes is seen in a purposely concealed secretie, as well as in any thing else; especially then, when it may bee a question,

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whether of the two is most commendable, to bee eminently virtuous, or obscurely innocent. Having thus given you an account of the reasons, why I conceal my name myself, that which I shall intreat of you is, that you will doe the like for me; and though you may imagine who I am, yet I pray you lock up that thought within your own breast, and doe not lend the key to any one, except it be unto myself. So you shall further oblige me to be still, as I am,

Intirely yours.

**The Publifher to all ingenious, and
judicious, unprejudicate, and impartial
Readers, wifheth outward profperity in all
things, together with the inward peace of a
good Confcience.**

GEntlemen, to you, as the onely competent judges in matters of controverſie, I make my addreſſe, defiring you, before you paſſe any censure at all upon it, thorowly to examine this enſuing diſcourſe, which briefly and plainly, in a moderate way, diſcovering the difference of Common fields and Incloſures, the evil of the one, and advantage of the other, may ſerve as an Antidote againſt that miſunderſtanding, which may be raifed in the minds of ſome men, by thoſe ſuggeſtions which are offered unto them, in another diſcourſe, lately publiſhed under this Title, *The crying ſin of England of not caring for the poor*, and dedicated to the ſupreme Authority of this Nation, The Parliament of the Commonwealth of *England*, by *John Moor*, Miniſter of the Church of *Knaptoft* in *Leiceſterſhire*. I confeſſe this diſcourſe was not written by my ſelf, but it came to mee with this intimation, that the Author would not be offended to ſee it in print, either without any name at all, or with any name, except his own: His opinion being, that it is a ſymptome of too much diſtemper in the minds of men, when truths are not well digeſted, or taſted, without fauces of names; and his reſolution to rejoice in private, when he ſeeth any good cauſe get the victory, although he himſelf be no publick partaker in the triumph. And now to follow his example therein, I am content to tender his diſcourſe to all men, to whom it may be beneficial, whether they will give me thanks for it, or no.

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**CONSIDERATIONS concerning common
FIELDS and *INCLOSURES*, Dialogued
digested into a deliberative discourse,
between two supposed friends,
PHILOPEUSTUS and PARRHESIASTES.**

Section 1.

Philo.

S

IR, have you feen a little difcourfe lately publifhed under this Title,

The crying sinne of England, of not caring for the poor, and dedicated to the fupream Authority of this Nation, the Parliament of the Commonwealth of England, by *John Moore* Minifter of the Church of *Knaptoft* in Liecefterfhire?

Par.

Yes, I have feen it, and not feen it onely, but likewife ferioufly confidered of it, having purpofely perufed it divers times.

Phil.

I pray you then tell me your opinion of it. Hath the Author therein approved himfelfe fuch an unanfwerable advocate for common Fields againft Inclofures, as by report it is pretended that hee hath?

Par.

What others may doe I cannot tell: but for my part I doe not perceive, that he hath fpoken any thing at all to that purpofe

Philo.

It is true, that in the pathetick part of his difcourfe he appeareth very zealous in behalfe of the poor, and bitter enough againft thofe that opprefle them, or do not take care for them: but the rationall part of his difcourfe, wherein he pretends that he hath fet forth thofe oppreffors to the life, is not indifferently extended unto all Inclofures, but exprefly limited and refrained unto fuch as unpeople towns and uncorne Fields, in the Title page: to the unfociable, covetous, cruel brood of thofe wretches, that by their Inclofure doe unpeople towns and uncorne Fields, page 7. And in fundry other places of his difcourfe hee fpeaketh refervedly of thefe Inclofures, and fuch Inclofures, but never, that I can obferve of Inclofure in general, as if he underftood all to be unlawful. Nay rather he feems to take it for granted, that Inclofure is not unlawfull, if it be not fuch as he complaineth of, which I the rather conceive to bee fo, becaufe I have heard, that M^r *Moore* himfelfe was once very ear-neft for an inclofure, if he could have had it effected according to his own

defire. Yea more, my opinion of that difcoursfe is, that from the Doctrine, the profecution whereof he propoundeth to himfelfe, as much may be inferred againft common Fields, as can bee againft Inclofures in general, and in particular more reafonably againft the abufes of common fields then of Inclofures, by how much, it is eafier to reforme all the abufes of Inclofures, without turning the ground into common again, then thofe of common Feilds, without inclofing them. And to prove, not the lawfulnessfe alone, but even the neceffity of Inclofure, for the benefit of the Commonwealth and prevention of poverty; there, needeth, I think, no better argument, then may be gathered out of that difcoursfe. So that the adverfaries of Inclofure in general, I think, will give M^r Moore but little thanks for it, when they truly underftand the confequents thereof. Page 2. His doctrine is, That they are not ordinary finners, but *Judas-like* finners, that care not for the poor. It is no little finne, but a wrath-provoking finne, not to care for the poor: yea, God and Chrifft (faith he) care not for thofe Nations, thofe places, thofe perfons, that care not for the poor. If to this Propofition you adde this Affumption, but they care not for the poor (underftand it as they ought to doe) who by hindering thofe Inclofures, whereby the evils and abufes of common Fields may bee reformed, are means either to make or continue men poor, the conclufion will bee, therefore, they are not ordinary finners, but *Judas-like* finners, that hinder thefe Inclofures. It is no little finne, but a

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wrath-provoking finne, to hinder thofe inclofures: yea, God and Chrifft care not for thofe Nations, thofe places, thofe perfons, that hinder thofe Inclofures, and thereby prevent the reformation of thofe evils and abufes in common Fields, which are means either to make or continue men poor.

Phil.

This me thinks is fomewhat ftrange: and yet, if you can make good the Affumption, I doe not fee how the conclufion can be any way avoided.

Par.

The Affumption I beleive may be eafily made good, by intancing the many particular evils and abufes, which abound, where the Fields lying open are ufed in common, and cannot bee reformed, but by Inclofure rightly ordered as it ought to be, or no way elfe fo well.

Phil.

I pray you then do me the favour to mention fome of thofe particulars.

Sect. 2

Par.

I will, But first I think it not amiffe to premise some general considerations, which are of much importance in this case.

One is, that sinne is alwaies an accursed thing: especially then, when it is most generally practised, with the least regret of conscience, and there, where the reformation of it is, not only not endeavoured, but purposely opposed, when it is fought.

Another is, that as sinne is alwaies the proper cause, for most an end it is, the speciall occasion, as of other miseries amongst men, for of povertie in particular.

A third is, that the most effectual means to prevent and to remove as other miseries amongst men, for povertie in particular, is to put an end to sinfull courses.

A fourth that then the best care is taken for the poor, when the most effectually means is used to prevent, or to remove their povertie.

A fifth, that it is a dutie incumbent upon all that are members of a Commonwealth, as they have means and opportunities, to the best of their understandings & abilities, to endeavour the advancement of the publique benefit, which is but the *summa totalis* of all particular *Items*:

A sixth, that the greatest advantage to the Common-wealth, that can be raised out of land, is then, when it is employed unto that use especially, for which it is fittest, and in such manner, that the greatest proportion of profit may be raised, with the least expence of charge.

Sect. 3.

These things premised, and taken for granted, which I think in reason cannot be denied: The first particular instance that I will give you, of the evils and abuses in Common-fields, is the injurious dealing of neighbours one with another, trespassing upon, and intruding into that which is not theirs, either carelessly, or wilfully. This, besides the curfew which hangeth over the head of the wrong doer himself, is a great hinderance to the owner, whose right is taken by another, without any recompence to him. Thus, where fields lye open, and the land is used in Common, he that is rich, and full stocked, eateth, with his cattle, not his own part onely, but likewise his neighbours, who is poor, and out of stock. Besides that it is an ordinary practice with unconscionable people to keep above their just proportion, untill they thinke there will be notice taken of it, and then to remove their cattle out of sight, that they may not be observed. And with some, not onely to encroach upon other mens lands, and upon the Common by plowing further then they ought to doe, in balks and hedges, but likewise to remove meer stones, to deface the marks of other mens lands, and where they finde leas not marked at all, to mark them as their own. And I beleieve it may be observed, that for the most part, the greatest complainers against, and opposers of Inclosure, either in generall or upon equall and indifferent termes, are such as have been accustomed unto, or desire they may have liberty to practise such licentious courses.

Phil.

But some of this me-thinks is not so much to be complained of, as you seem to conceive: For the poor man, that hath not stock of his own to store his Commons with, may set them unto other men, and so not be deprived of his right.

Par.

It is true that sometimes he may doe so, but not without much disadvantage to himself: For the benefit which he should have, if the stock were his own, accreues unto him, to whom he sets his Commons; who will be sure not to take them, but at such an under rate, as that hee may make advantage to himself thereby. Which if it be not *damnum emergens*, an encrease of losse, must of necessity be *lucrum cessans*, an abatement of profit to the owner. And by this meanes in Common-fields many times, not Tenants alone, but even Freeholders also are eaten out of all, and reduced to beggary. But what meanes of redresse can you imagine may be had in Common-fields, for the rich mans eating up the poor mans Commons in case he can neither stock them himself, nor set them unto others?

Phil.

As much I suppose, as if his land were inclosed, and that he could not have a Tenant for that part which hee could not stock himself.

Thougl.

Par.

No, therein you are deceived: For, in a ground inclosed, that graffe which he hath not cattle of his own to eat, if he cannot, or be not minded to fet it to another, he may either mow, if it be fit for hay, or else preserve for his own use against another time, when he can get stock to put upon it, or if he cannot so soon as he would, yet the land at the least would be improved by it against another time; whereas in a Common-field it would be eaten bare by others, without any recompence at all to the owner. So the two great rules of Morall righteoufnesse, *Suum cui (que)*, Render to all their dues, *Rom.* 13.7. and, *Quod tibi fieri non vis, alteri ne feceris*, All things whatsoever ye would that men should doe to you, doe ye even so to them, *Mat.* 7.12. are both transgressed, by meanes of this one unremediable evill, which fields lying open, and used in common, are subject unto. And why should not all that Master Moor in his discourse hath said against oppression and wrong-doing, be applied as well to oppression and wrong-doing in common fields, as in grounds that are inclosed?

Phil.

But why should you pretend a breach of those rules of morall righteoufnesse, by the rich mans eating up the poor mans Commons, when the rich man Commoneth no more, then his proportion commeth to? For although it happeneth so, that the poor mans Commons not being stored, the rich mans cattle doe feed upon them, yet it is not the rich mans intent, or desire that it should be so.

Par.

If that were alwaies true, and you could likewise adde, that he took no content or pleasure in it, but were sorry for it, you should say something to free the rich man from being guilty of approving himself in doing wrong, though not to repair the poor mans losse. But then, why doe not such rich men, where the fields lye open, and are used in common, shew their care of the poor, by recompencing them for those their Commons, according unto the proportion of the profit, that accrues unto themselves thereby? Is not neglect of the poor in this, which is a means both to make, and to keep them poor, as crying a finne in Commonfields as it is in Inclosure not to relieve them out of a mans own, wherein they can challenge no interest or

right at all, but of charity? Meethinkes it fhould not be denied by any man, that pretendeth care of the poor. But what doe you fay to trefpaffes and intrufions in Common fields?

Phil.

I fay they are not proper unto Common-fields alone, but the like objection may bee made againft Inclofures, alfo. Hee that hath the confcience to put cattle upon Commons, either more then he hath right to doe, or where he hath no right at all, it is very like, will make little

ifcruple to do fo in ground inclofed alfo, if he can finde a fit opportunity to ferve his turne.

Par.

You doe well to fay fo, if he can finde a fit opportunitie to ferve his turne: for that indeed makes a very great difference between common Fields and grounds inclofed, namely, that ill conditioned unconfiderable people have not the like opportunities to ferve their turnes in thefe, as they have in thofe. If the fences about inclofed grounds be good, and the gates kept faft, other mens cattle cannot eafily be turned in, or if they be, may quickly bee obferved. But all the wrong in this kind is not done with loofe cattle alone. It is a thing too ufual in common Fields for one man to trefpaffe upon another, when ground, either for grafiing, or for mowing, is feverally lotted out: thofe who have confciences large enough to do it, will lengthen their ropes, or ftake them down fo, that their horfes may reach into other mens lotts, and either in mowing or in making their hey, will adde unto their own by taking from another mans. And for the removing or altering of land marks, the abufe is fo groffe, that no man I think can bee fo fhameleffe, as to offer any excufe for it, though many be neither afhamed nor affraid to practife it. Now all unrighteoufneffe is finne, 1 *John* 5.17. And God is the avenger of all fuch as goe beyond or defraud (the margin of our bibles hath it, opprefse, or overreach) their brethren in any matter. 1 *Thef.* 4.7. So that, if it were but for this one thing alone, inclofure rightly ordered, would be neceffary to deliver him that is fpoiled out of the hand of the oppreffor, that he may doe no wrong, *Jer.* 22.3. Yea to deliver them out of the hand of the Lord, who otherwife would commit a trefpaffe againft him by wronging other men, *Joth.* 22.31.

Phil.

It is true as you fay; thefe evils are great, and fuch, as for which men may be juftly punifhed by God himfelfe, yea peradventure fometimes are. But there may be other means of redrefse then by Inclofure onely. The parties

that are wronged may be righted by law, and trespassers taught to take heed of doing wrong, by being made to pay dearly for it.

Par.

It is true, they may be so, when the wrong done, is not only taken notice of, but also may be proved against him that hath done it: and were it not for that, there were no living for honest men, where the Fields lying open are used in common. But would it not be better that the evil it self should be prevented, then honest men be necessitated, either to have recourse to that remedie, or suffer

[Paraph]

perpetually without redress? *Bonum est cauterium, sed quo mihi vulnus ut indigeam canterio.* Phyllick is good, but not to have need of it is better. Besides that, the wrong done is not the less, nor will the punishment from God be the lighter, when it is done so secretly and subtilly, that either it is not taken notice of at all, or cannot be proved. Are not law suits, and actions of trespass, particularly complained of by Mr *Moore*, as means to make men beggars, and undoe them? page 13. If *causa caufae, be causa caufati*, if effects must be attributed, not onely to the next immediatly preceding, but likewise to remote antecedent causes, then keeping Fields in common, which gives opportunitie to trespasses, and consequently occasion to law suits, cannot but bee in some sort guilty of that poverty, which followeth upon such suits. And therefore they that will not permit the prevention of those suits, and so of that poverty, by giving way unto the removall of the occasion, by Inclosure rightly ordered, sure care not for the poor, so as they ought to do. And yet this is not all the wrong, that usually is done in common Fields. In all, or most townes where the Fields lie open and are used in common, besides houses of husbandry, and ancient cottages, that have right of common, there is a new brood of upstart intruders, as inmates, and the inhabitants of unlawfull cottages erected contrary unto law; who live upon the spoyle of other men, without making difference of any, rich or poor, whether they are able to bear it or no, they are sure to suffer by them. And if they be found with that, which any man may tell is not their own, because all men may be sure they should have nothing there: yet no man in particular can challenge them for it, unlesse he take them in the very act upon his own ground, not that which he hath right unto in common with others, but that which is distinctly known to be his: and then if they be but threatened that they shall be legally questioned, and punished for it, they on the other side threaten to leave their charge, their wives and children, on the town to bee provided for. So that in most places, the old stocks are not able to maintain the new sprung branches, except they can draw more nourishment unto themselves, by preventing those disorders, which drain it away from them. When the best

living in a town is hardly sufficient to find maintenance and employment for one family, how shall three or four, as sometimes it happeneth, be sustained upon it? And those for the most part not of labourers, but of idlers, who will not usually be got to work, unless they may have such

excessive wages, as they themselves desire, but choose rather to be idle, if not worse employed. Can any man in reason, and with a good conscience pretend, that to suffer such people to go on in their sins, without reformation, or restraint is to have care of the poor? unless men may be said to have care of the poor then, when they take a course, that they may continue always poor, and never be otherwise.

Sect. 4.

Phil.

But do you think that by Inclosure this may be remedied?

Par.

Yes, very easily. Let every man that hath right unto any land, either as a freeholder, or as a tenant, have the same proportion of land allotted him to occupy in several, as before he had, or should have had, in common: and then, by raising greater profit to himselfe, he shall be better able, both to pay weekly contribution for the relief of the impotent poor, and to bear his part in the raising of a stock to set the able poor on work: which are the only two courses, which the law hath provided, whereby care is to be taken of the poor, and would be fully sufficient to that purpose, if duly put in practice, as they ought to be: and both of them may be as well put in practice, where lands are inclosed, as where they lye open, and are used in common if not better.

Phil.

It seems then, when the land belonging to a town is inclosed, you would not have any of the inhabitants turned out, or the houses pulled downe.

Par.

No, by no means, nor would they be at all, if convenient care were taken for the due execution of that, which the law hath sufficiently provided for, namely, that houses of husbandry be not decayed, nor cottages unlawfully erected, or inmates entertained. But, where houses of habitation have been erected, or inmates entertained contrary unto law, as I would not have them presently pulled down, or the inhabitants turned out, so neither would I have

them continued any longer, then of necessity they must be, that is, until they grow empty of inhabitants: unless that the continuance of them by entertaining other inhabitants, may be found convenient for the town in general, as well as for the owners in particular: and then I would have some land laid unto them; at least so much, as is required by the law. For ancient cottages, which are not houses of husbandry, in the interpretation of the law, as the law hath made no provision for them, so I would have them left to the owners discretion, when they grow void, either by the

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decease, or voluntary departure of the present inhabitants, to take them down, or to employ them otherwise, or to take in new Tenants, if they see good; So that be it not to the wrong of their neighbours, or to the prejudice of the other poor; who the fewer they are in any place, the better they may be there relieved, or otherwise provided for. And yet their madness is such many times, that they will bitterly exclaim against those men that will not give way to the increase of their numbers, by the bringing in of others amongst them; or that would have all idle Beggars, Rogues, and Vagrants, that wander up and down without a calling, to be restrained; to whom in most country towns there is commonly given by the inhabitants, almost every day, as much as might serve in a competent manner to relieve their own poor.

Phil.

Although you may be of this mind as you pretend, yet it should seem that few Inclosers heretofore have been, or yet are so; as may appear by those complaints, which Mr. *Moor* hath mentioned *pag.* 9, 10, 11. of Tenants and Cottiers discharged of their Tenements, and turned out of their houses.

Par.

That such complaints are commonly made, and not without cause sometimes, is very likely to be true. But I can hardly believe that all, who make such complaints, have always such cause as they pretend. For it is certain, that some have been pretended to be discharged, and turned out, who voluntarily did choose to be gone, and might have tarried, if they would. But as those who have been bred and brought up to be wandering beggars, will not be content with good entertainment in honest mens houses, especially if they be constantly put to any good employment: So those that have been used to wrong doing, and trespassing upon others in common fields, cannot endure to live where they must be restrained of that liberty, and will be sure to pretend themselves wronged, if they be not permitted to do wrong to others. But in case not one of all the complaints in that kind, which Master *Moore* hath heard, were causeless, and unjust; yet this is certain, there have been Inclosures made which have not unpeopled Towns, where none,

either Tenants, or Cottiers have been discharged or turned out; and so may be again, without giving just occasion to any such complaints. Therefore to urge those complaints as an argument against all Inclosure, to prove it unlawful, were to infer a universal conclusion upon particular premises; which no good disputant will do.

Sect. 5.

Phil.

This which you have sayd may be something, perhaps, in respect of Depopulation, or un-peopling of townes, but what will you say to the decay of Tillage, or un-corning of fields by Inclosure?

Par.

I say it is no necessary effect of Inclosure in generall, nor any effect of Inclosure at all, if it be rightly ordered, as it should bee; but rather the contrary. More Grain may be raised, and with lesse charge, in grounds inclosed, then in Common fields; if that which hath been tilled out of heart, and is weary of bearing, be laid down to rest, and that which is resty be broke up and tilled. Which may well bee done in grounds that are inclosed, but cannot be done in Common fields, where land must be used as hath been accustomed, and cannot be otherwise, without a joynt consent: which commonly is as hard to be obtained, as agreement to Inclosure. By this means in common fields much land is continued in tillage, which for the present is not fit for it, but after a reasonable time of rest would be: And much is continued in Grazing, which for a time were fitter to be Corned, and afterward, being layd down againe, would bear better Graffe then formerly it did. Thus to the great prejudice of the Commonwealth in generall, as well as of the owners in particular, the land in common fields is not employed to the use that it is fittest for, nor so much Corn as might be raised. For it is well known by experience, that a few Acres of resty ground inclosed, with one plowing only, and lesse feed, will ordinarily yeeld a greater increase then more Acres, and a greater proportion of feed, are wont to doe in common fields with divers plowings. Besides that, in common fields, where divers mens lands lye intermixt, and every mans lands disperfed so, that many parcels in many places, and sometimes far asunder, goe to make up one Acre, there is occasion of great inconvenience, and charge to the owners divers waies. Many dayes workes are cast away, and much labour is lost in the plowing of the land, in the carriage of Manure, and inning of the crop, which might be spared, if the land lay all together, as it doth in Inclosures. Besides the wrong that is many times done to other men by carting over, and turning, and winding upon their lands; and so in the Meddows by treading down, and driving over one anothers Graffe.

Again, where the fields lying open are used in common, for the most part in the winter time cattle of all sorts, both small and great, are suffered at their pleasures to goe over the fields, where Corn is

fown, and do more hurt with their feet then with their mouthes, especially

when the weather is wet: and in the summer time, much cost and spoil is made in the corn, both whilst it is growing, and when it is cut, by horses breaking loose, and by the great herds of cattle, that are daily driven up and down between the furlongs, sometimes in narrow passages: so that usually the lands lying, next to those passages on either side, or butting on the common grounds, have little or nothing left upon them at harvest, to the prejudice of the owners in particular, and of the Commonwealth in general, which proportionably suffers in every mans loss.

Again, in common Fields the land is much impoverished, not only by being continually kept in tillage without rest, which in its kind is as necessary for it, as for living creatures, but likewise by the burning of dung, and of straw, for want of other fuel, with which the land might be manured. But usually the hedges upon grounds that are inclosed, serve in a good measure, if not altogether, to supply that want: and besides the profit of fruit trees, if they be planted there, they likewise afford good shade and shelter for cattle, which in common Fields they cannot have, though it be many times almost as necessary for them as their meat.

Sect. 6.

Phil.

The supply that ariseth out of hedges for fuel I confess is a good convenience, where wood is scarce, and coal not to be had, or only at excessive rates: but for the manuring of the arable land with dung and straw, that want is well supplied in common Fields by the folding of sheep.

Par

It may be not so well as you think: nor would it appear to be so, if all things should be well considered. For, first, The manuring of land with the fold serveth only for one year: and after the first croppe the land is left as barren as before. The reason whereof I conceive to be, because the strength of the dung is much exhiled, spent and waisted by the weather, it lying long on the face of the earth not plowed in, and so being turned, either to dust in a dry, or unto dirt in a wet season. Secondly the manuring of land with the fold is many times dearly paid for, with the loss of the flock by the rot. Thirdly, in case the sheep escape the rot, yet neither in their bodies, nor in their fleeces, doe they yeeld so much profit, as they might doe in grounds inclosed. Whereof the later, the fleece in grounds inclosed is usually fit to be combed for jersey, which in common Fields it is not: and combing of wooll for jersey is likely, by the new manufactures, to prove a farre greater benefit

[Paper]

to the Commonwealth, then clothing along, either is or can be. And yet, if manuring of land with the fold be any way advantageous, it may be practised as well in grounds inclosed, as in common Fields, or rather better: because, when the season is not fit for folding, the sheep may be left at large in the pasture, without any danger of trespassing in the meadows, or on the corn, which in common Fields they cannot be.

Sect. 7.

Phil.

But in grounds inclosed there cannot be kept so many cattle either great or small, as usually are kept in common Fields.

Par.

It may be so: and yet fewer cattle kept in pasture grounds may yield the owners greater profit, than more cattle of the same sorts kept in common Fields can do: and that in divers respects.

As first, they require less attendance, and so put the owner to less charge.

Secondly, they are not subject to so much hazard. Sheep that are naturally quiet cattle, being hunted and hurried with dogs (as usually they are in common Fields, to keep them within their compasse) are apt to get heats, to grow scabbed and break, which is not so in grounds inclosed: besides that which was observed before, concerning the loss of sheep in common Fields by rots: which many times is as great as the yearly rent of the whole Lordship would amount unto. And amongst great cattle in the common Fields, the weaker are wont to be hurt by the stronger, when they are driven together in a throng, by fighting, rushing, goading, and the like: and are apt to be tainted by one another in times of infection: all which in conveniences are much prevented by Inclosure.

Thirdly, where the Fields lying open are used in common, which kind being in the summer time kept fasting all night, and lodged on the hard stones, and in the day time driven up and down from place to place, their milk is not only less in quantity, but likewise worse in quality, being often so heated in their udders, that it cannot be so good for use in butter, and cheese, as otherwise it might be, and is in grounds that are inclosed.

Fourthly, where the fields lying open are used in common, when the weather is wet, the cattle, by driving to and fro, make foul the ways, and having

therein first dirtied themselves, then stain the ground, and make the graffe unholofome: which is not fo in grounds inclofed.

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Fiftly, where the fields lying open are ufed in common both greater & leffer cattle, contrary to their natures, are conftrained to ref, when they would feed, & feed when they would ref: yea fometimes are not fuffered to be quiet, even while they are feeding, but kept going & eating together; which is not fo in grounds inclofed.

Sixtly, where grounds are inclofed, both the grounds and the cattle may be feverally ufed, as is fitteft for each: ffore cattle may be put upon grounds that are fitteft for ffore, and feeding cattle upon feeding grounds. The owners may put off, or put on, either fewer, or more, from time to time, as they find it moft convenient, and wait the beft times both for felling, and buying again with the greateft advantage, their grounds in the mean time gathering head, fo long as they are not fully flockt: whereas in common Fields, all fheep by themfelves, and other cattle by themfelves, go togeather, young and old, fick and found, fat and lean: and when ever any are taken off, others muft be prefently put on in their fteed or elfe the commons, in the mean time, will be loft from the owner, and eaten up by other mens cattle, as was faid before. So ufually after maths in common Fields are never let grow to any good head: but, all being eaten bare before hand, long and hard winters make lean and hungry cattle, and poor diftreffed husbandmen. And, as it is generally to be obferved, that the richeft countreys in the land are thofe that are inclofed, fo in particular townes it may be feen, that not freeholders only, but even tenants alfo, thrive better there, where their lands are inclofed, though they pay farre greater rents for them, then they doe in common fields, though the rents, which they pay, bee leffe by much. Yea, in fome places it is certainly known, that the inclofure of their meddowes onely, though the ref of the land were ftill left open, hath been a great benefit to the inhabitants, and a means to redeem them from a poor unto a rich condition: much more might it have been fo, if their pafure grounds alfo, as well as their medowes had been fo inclofed: and yet more, if their tillage likewife had been laid together, each mans by it felfe, whether they had inclofed it, or no, fo that they had only put an end unto their cuftome of common: which is the great occafion of many diforders, where the fields lye open, and which without inclofure are never likely to be redreffed. But, if all places were inclofed, upon equall and indifferent termes for all that have right there, and with due refpect unto provifion for the poor, the fcandall, I believe, would quickly

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ceafe, and all occafions of complaint be taken away.

Sect. 8.

Phil.

That may be your opinion perhaps; but notwithstanding all that you have said, there are divers passages in Master Moores discourse, which some men (those that would have it so at least) will think do make against inclosure in general, even that which is ordered in the best sort that can be devised, and not onely against that, which alone (as you observed) it seemeth he did intend to speak of, viz. such as doth un-people towns, and un-corn fields. I pray you let me hear what you can say concerning them.

Par.

I easily believe, it may be so: For commonly things appeare to mens eyes, as if they were of the same colour with the glasses, thorough which they are looked upon; and usually such glasses, to the minds of men likewise, are prejudice, and partiality: with which that those passages, which you speak of, in Master Moores discourse, may not be discoloured, when you repeat the words, I shall quickly tell you what I think of them.

But first I have something more to say, concerning the inconveniences. or mischiefs rather, which they are subject to, who live where the fields lying open are used in common. As this, that there is a great deal of land in common fields, which formerly hath been good, and might be so again, utterly spoiled for want of good husbandry. I know a place, where by this meanes the Commons were so impaired, that the inhabitants agreed to abate of their ancient usual stint one sheep in fix, and one cow in three, and yet did confess, that formerly their cattle had fared better at the long stint, then afterward they did at the short; but they would not be persuaded to bestow better husbandry upon their land, though they thought it necessary to make a greater abatement in the number of the cattle which they kept upon it. And so by degrees, through the neglect of good husbandry, their Commons in time must needs have come to be but little worth: and yet they pretended, that they lived on their Commons onely, and that their tillage did not quit their cost.

Phil.

But they might have bestowed better husbandry on the land if they would, and so the cause of that complaint might have been taken away.

Par.

By a general agreement of all to that purpose they might; otherwise they

could not, unless some alone should have been at the charge for all. And that is one great evil in common fields, that they who would be good husbands cannot, when other perverse conditioned people are not minded to permit them. But where

grounds are inclosed, if any man will be a good husband on the land which he holdeth, he may, if he will not, he hurteth himself alone, and not his neighbours, nor needeth to be hurt by them, unless it be through his own default. Another thing, which in common fields is a great means of making and keeping men poor, and more of late then heretofore, is, that all publique payments, as taxes and the like, are laid according to the number of the yard lands as they are usually accounted, and valued alike, though some times there is scarce halfe so much profit made of one as of another. A poor man for a small yard land, and peradventure not halfe stocked, shall pay as much as a rich man doth for a great one stocked to the full: and so the poorer that a man is already, the poorer, and poorer still it is like he shall be.

Phil.

This might easily be prevented in common fields, as well as in grounds inclosed, if all payments were proportioned according unto the pound rent for the land, and the flocks valued severally.

Per.

Peradventure not so easily as you imagine. For in common fields although the yard lands be not equal, either in quantity, or in quality, yet because they have like proportions of commons appertaining unto them, whether they be furnished with flock or no, the inhabitants will never be persuaded to charge them otherwise then equally; as they have been accustomed. Whereas in grounds inclosed there is commonly consideration had, in the valuation of them, both to the quantity and to the quality: or if unto the quantity onely, yet it is upon supposition, that one with another there is no much considerable difference in the quality: And for the valuation of flocks, it is an endlesse piece of work to examine whose they are, and a means to set all men at variance. Another thing is, that where grounds are inclosed, cattle cannot easily go away of themselves, or be driven out, but that they may quickly be missed, and tracked: whereas in common fields they may wander of themselves, or be driven away by others, long before the owners can tell, either whether they be there, or whether they be gone: and sometimes they are long in looking far for that, which at last they must find either neerer at hand, or not at all. But, to trouble you no further now in this kind, let me hear, if you please, what it is in Mr Moores discourse, which you think may be suspected to make against inclosure in general.

Sect. 9.

Phil.

Page 7 hee faith, How great a flame is it for a

Answer

Goſpel magiſtracy not to ſuppreſſe make-beggars, which make ſuch ſwarmes of beggars in countries, Cities, and Townes? That care not how many beggars they make, fo themſelves may be gentlemen; nor how many poor they make, fo themſelves may be rich. I mean the unfociable covetous cruel brood of thoſe wretches that by their incloſure doe unpeople towns, and uncorne fields: who fall under the Prophets woe, *Iſa* 5.8. That joyn houſe to houſe, and field to field, till there be no place, that they may bee placed alone in the middle, of the earth, and be ridd of all the poor. What ſay you to this?

Par.

To this *Iſay*,

- 1. that for the general it anſwereth it ſelfe, as was before obſerved, in that it is expreſſly limited and refrained unto thoſe, that by their incloſure doe unpeople townes, and uncorne fields; making no more againſt all incloſures, then the woe denounced againſt drunkards, in the 21 verſe of the ſame chapter doth prove all drinking to bee unlawfull.
- 2. That it is as great a flame for a Goſpel magiſtracy not to ſuppreſſe make-beggars, which make ſuch ſwarmes of beggars in Countreys, Cities, and Townes, where the Fields lying open are uſed in common, as where they are incloſed: and fo much the more, by how much the evill is more general, and of longer continuance, and people make leſſe conſcience of thoſe courſes there, which produce ſuch effects: I mean, as before, diſorder, unjuſt dealing, and the like.
- 3. That for the text alleadged in particular, *Iſay*, 5.8. it is a wonder unto me, how Mr *Moore*, or any man of an ordinary capacity, can imagine, that the holy Ghoſt, who knoweth very well, and better then men, how to expreſſe himſelf, by laying field to field, till there be no place, ſhould mean the incloſing of common fields, rather then the throwing open of incloſures: whereas indeed to throw open incloſures, and to lay thoſe grounds common, which before were ſeveral, that fo there may be no place for any man to enjoy his own with peace and quietneſſe, muſt needs be laying field to field, rather then to incloſe thoſe grounds, which before lay in common, that fo, fields being orderly divided, every man may enjoy that which is his

own in feveral to himfelfe with peace and quietneffe, and that there may be place for others alfo to doe the like by theirs. But the truth is, as the word in the original tranflated field, doth indifferently fignify any ground, whether open or inclofed, that lyeth about an houfe, or a town, as belonging unto it: fo the purpofe of the holy Ghoft is, to denounce a woe againft all thofe, whether rich or poor,

Paraph.

that either out of ambition or covetoufnes enlarge their own, either houfes or lands by adding unto them thofe of other men wrongfully wrefted from the right owners, whether poor or rich, by fraud or by force, that there may be no place there left for any, but only for themfelves, though others have as much, or more, right unto it: paralel whereunto is that of *Jer.* 22.13, &c. and *Habak.* 2.6, &c.

But fuch unjuft dealing may be, and is, for ought I know, as often practifed there, where the fields lying open, are ufed in common, as where they are inclofed, if not oftner, as was before obferved: And out of queftion make-beggars, be they what they will bee in common fields fall under the Prophets woe, *Iſay* 5.8. as well as there, where the grounds are inclofed.

Sect. 10.

Phil.

Page 8. he faith, queftion many of our beggars, that goe from dore to dore, with wife and children after them, where they dwell, and why they goe a begging. Alas, mafter (ſay they) we were forced out of fuch a town, when it was inclofed, and ſince we have continued a generation of beggars.

Par.

For the truth of this relation, we muſt take it upon the credit of Mr *Moore*s own teſtimony: and I will not deny, but that it may be he hath heard ſome beggars ſometimes ſay ſo. Yet I believe there are thouſands in England, that in their owne particulars are as charitably affected, and have given as much unto the poor as Mr *Moore*, who never heard ſuch expreſſions from any of them: It is like that Mr *Moore*, thus publicquely declaring himfelfe againſt incloſure, although it be but referred, ſuch as he mentioneth, ſhall not want thofe that will furniſh him with ſuch ſuggeſtions: but whether all that they tell him in that kind be true, or no, hee may doe well to enquire, and not take it upon truſt. *Haudrecte facit, qui facile credit.* It is not the propertie of a wife man to believe all that he hears, *Prov.* 14.15. And if it be granted the complaint was juſt, yet nothing can be inferred upon it, but the particular fault of thofe parties only, by whom the occaſion of it was given.

Phil.

In the fame page he further faith. When we take a view of the multitude of poore in market townes and fielden townes, we fee how thefe poor wretches were driven out of their hive, their honey taken away, I mean their trade of plowing by fuch inclofure, and glad were they to find an old houfe any where to put their heads in, where they might have any imploiment to keep themfelves and familie alive.

Par.

This is largely fpoken: and I believe, if Mr. *Moore* were put

[Paper]

to prove it true, by an induction of particulars, hee could not name two Market-towns, wherein, I will not fay all, but onely the greater part of the poor are fuch as he fpeaketh of, Bees that were driven out of their hives, and had their honey taken away, and not rather, either idle Drones, or angry Wafps, fuch as fuck the fweet of other mens labours, and fting them with bitter words at the leaft, from whom they have their greateft relief.

Howfoever, if that which Mafter *Moor* hath there faid, were certainly true in every particular, yet to conclude from thence, that all Inclofure is unlawful, would but be ftill the fame fallacious way of arguing, à dicto fecundùm quid ad dictum fimpliciter.

Sect. 11.

Phil.

Page 9. he faith. For a groundwork we muft lay this undeniable truth, viz. That the great Manufacture and Trade of *Leicefterfhire*, and many, if not moft, of the inland Counties, is Tillage. It is the Plow whereby Tenants Cottiers, and their children were fet a work, and lived very happily and comfortably before there was fo much of fuch Inclofure.

Par.

That [fuch] doth make this argument alfo juft fuch another as the former was, guilty of the like inconfequence, as to the proving of all Inclofure to be unlawful; and therefore I fhould paffe it over lightly, with the reft of the fame nature, but that I have fomething to fay concerning that which he termeth an undeniable truth, viz. That the great Manufacture, and Trade of *Leicefterfhire*, and many (if not moft) of the in-land Countries, is Tillage, &c.

- Firft. Suppofe it be fo, yet Inclofure, as was faid before, may be fo ordered, that the Trade of Tillage fhall not be decayed by it, but

rather advanced: Yea that Tenants Cottiers, and their children may be fet a work, and live more happily and comfortably after such Inclosure then they did before.

- Secondly. Suppose it be so now, or hath heretofore been so, is it therefore necessary that it must be so always? May not those Counties hereafter have other Manufactures and Tradings, of as great or greater advantage, for the commonalty, yea for the Commonwealth, as well, as Master *Moore* confesseth, other Counties have? Must *Leicesterhire*, and other in-land Counties only, by being kept open, and used in common, be condemned unto a perpetual expence of greater pains and charge, for the raising of less profit and advantage, when if they were inclosed, as other Counties are, they might, as they do, raise greater advantage and profit, with less expense of charge and paines? Master *Moore* saith it is the Plow whereby Tenants Cottiers, and their children were fet on

work. Wee must understand him in those places, where the fields lying open are used in common. But he doth not tell us how many Tenants Cottiers, and their children, yea even Freeholders also, in those places, through disorder and unjust dealing, have been utterly undone, and reduced to beggary. He doth not say, how many have there been trained up to idleness; and taught to do almost nothing else, but to wait advantages of doing wrong to others. He doth not boast, how many of those, that in such places have been employed about Husbandry in the summer time, in the winter time are turned off, either to beg, or steal, or starve; or, that if they continue still with the same Masters, their Winters maintenance, to do little or nothing, brings greater charge with it then their summers work was worth; so that many times the poor husbandman in his estate is fed upon, and eaten out of all, by them whose bodies he doth feed.

Phil

In the same page he further saith. Other Counties have other Manufactures and Trading for the Commonalty, we Tillage, and the Plough, whereby wee breed multitudes of hardy men, and horses for the service of the Commonwealth, if need be; whereby we also send forth abundance of all manner of Corn and Grain, and peace-fed cattle to the City, to victual our Shipping at Sea, and to countreyes round about us: all fed with the Plow in the Common fields.

Var.

What is fed with the Plow in common fields, may as well, yea and better be fed with the Plow in grounds inclosed, as was said before. And if we should

appeale unto the City to fay from whence the greateft abundance of provifion both for fea and land doth come, whether from thofe countries, where the fields lying open are ufed in common, or from thofe, where grounds are inclofed, the queftion, I believe, would be quickly determined in the behalfe of the countries inclofed, without any doubt or difputation about it. And for the multitudes of hardy men, which hee fpeaketh of, if there could be feen a Lift of all that have ferved in the late Warres on every fide, and that yet are in Arms, I believe there would be found but few that have come from the Plow to that imployment, in comparifon of other Trades. Many horfes indeed are ufed, or abufed rather, where the fields lying open are ufed in common, but few bred there that are fit for good fervice any where, even then when they are moft fet forth to fhew. Hardly in any other thing, or in any other place, but where the fields lye open, and are ufed in common, is

there more, or fo much cheating, coufenage, and deceitful dealing ufed. And, if queftion may be made concerning hardy men, for which I know no reafon way it fhould, yet horfes out of doubt may better be bred in grounds inclofed then in common fields; whereof experience is fufficient evidence.

Phil.

Mafter *Moor* adds further in the fame page. They make beggars of Tenants upon fuch Inclofure: For the Tenant forthwith is difcharged of Tillage and Farme to feek a living he knowes not where— And in fome Towns there is fourteen, fixteen, or twenty Tenants difcharged of plowing, all in this fad condition, befides many other teams and farmes of Freeholders layd down in the fame Towns. What fay you to this?

Par.

I fay thefe refrictive termes of limitation, fuch, and fome, [upon fuch Inclofure, in fome Townes] make it needleffe for me to fay any thins, more then I have faid, to difable it from doing any fervice againft Inclofure in generall; becaufe, with thofe refrictive termes that which is fo faid is nothing to the purpofe, and without them would be falfe. Yet this let me tell you, that for Tenants to be difcharged of Tillage, and of their Farmes, and for Teams to be layd down, as it is no neceffary effect, fo neither is it any proper adjunct of Inclofure. It doth neither *convenire omni*, nor *foli*, nor *femper*. Not *omni*; for Inclofures may be, yea have been, made, and Tenants neither difcharged of Tillage, nor of Farmes. Not *foli*; for Tenants have been, and may be, difcharged of Tillage, and Farmes, and Teames layd down, in Common-fields. Not *femper*; for even in grounds inclofed, there where Tillage and Teames have been layd down, and Tenants difcharged, at fome

times, at other times Tenants have been entertained, and Tillage, and Teames fet up again. But whether the fields lying open are used in common, or be inclosed, why should not the Landlord have liberty to discharge the Tenant, when his time is expired, and come himself to live upon his owne land, or take in another Tenant? If a Tenant so discharged complain, will Master *Moore* think the Landlord deserveth to be condemned for it? Sure, it is not sufficient for Master *Moors* or for any man else, out of charity to the Tenant, to take notice of his complaint alone, but hee must likewise, out of justice to the Landlord, duly consider whether the cause of his complaint is just; Left he fall under the woe denounced by the Prophet, *I/a.* 5.22. against them that justify the wicked, and take away the righteousness of the righteous from him. What find you next in Master *Moore* discourse, that you think may carry any colour of an argument against Inclosure in generall?

Sect. 12.

Phil.

Page 10 he faith, Herein is the misery of the Tenant the greater, Those that have thus uncornd the laid towns, and turned all into Pasture, and discharged their Tenants, these thus inclosed wretches become Tenants themselves, and rent land in the open fields round about them, or near unto them, to maintain their own families with corns, and their horses, with feeding, for which land they give (being able to pay for it out of their inclosed grounds) excessive rates, which if the poor Tenant should give, he and his must forthwith come to beggary. So that they do not only turn those poor tenants out of inclosed towns, but also rent those Farms, and that land in the common fields, which the poor tenants else might have rented at an easier rate; so that in the conclusion most of these tenants become Cottiers.

Par.

The like complaint maybe made in behalf of Tenants that live upon lands that are inclosed. Those that live where the fields lying open are used in common become tenants themselves, and rent inclosed grounds round about them, or near unto them, that they may be better able to maintain their own families, and manage their tillage in the common fields with more advantage; for which inclosed grounds, in that respect, they can afford to give greater rents, then they that live only upon inclosure can doe. So that this, as the other arguments urged against Inclosures, hath (the misfortune it may be some men would think it, but I say rather) the good hap to conclude as much against common fields: If Inclosure make land in common fields scarcer, common fields make grounds inclosed dearer. And therefore the wonder is lesse, that those, who live where the fields are inclosed, endeavour to hinder the inclosure of the common fields about them. They know very well their advantage would be lesse, if all men besides had the like opportunity to make it, that they have: And, if there were not so much help, as there is, from them, who live when the fields lying open are used in common, from inclosed grounds in other places, they would the sooner find themselves necessitated to inclose: And then, those that live where the grounds are all inclosed, would finde it more profitable tilling some, then grazing all, so that there would need no law at all to compell them to it. When tillage is more profitable then pasturage, men will break up their pastures to till: And why should they not have liberty then to lay down their Arable land for graffe, when pasturage is more profitable then tillage: I mean, as before, when the land is fitter for it. And so I make no question but they have, if the Statutes concerning Husbandry and Tillage were rightly understood, and well observed. Nor needeth any man in reason to desire greater freedom for

laying down

[Page 1]

any land, which hath been used to tillage before, then is granted him by the Proviso's in those statutes. But it maybe the rate of the rents is the main matter that is stumbled at: which yet comes all to the same paffe, whether the fields be inclosed or no: save that there is not so much casualty in grounds inclosed, as in common fields, as was before observed. Tenants may be oppressed and beggered by rents over-rated in common fields, as well as Inclosures, and I beleive more often are: the over-rating of rents being not the inequality of them unto other rents, either in other places at the same time, or at other times in the same place, but the disproportion of them unto the profit, which ordinarily *communibus annis*, may bee raised of the land that is rented, over and above the necessary charge of the labour and stock, that is to be employed upon it. And for tenants becoming cottiers, I believe, if any man will examine his own experience impartially, hee may observe as many not tenants only, who alwayes paid great rents, but even freeholders also, who sometimes payd but little rent, or none at all, to have become cottiers, where the fields lying open are used in common, as where they have been inclosed. But some men, whom our favour calls hypocrites. Mat. 7.5. will sooner observe and reprove a few small faults in others, then acknowledge and reforme many greater in themselves. And I doe not think Mr Moore can shew so many common fields without disorders, as another man may do inclosures without pulling down houses, and turning out tenants. What have you yet more ?

Phil.

In the same 10 page, and so forward in the it he faith. In these inclosed towns in laying down the plow, and taking away the crop of corne, how many crops doe they rob the poor cottier of? This poor man had a crop and income of every tilth of the plow, in the following tilth, in the stirring tilth, in the aring tilth, in the fowing tilth: he had his income in the manuring, weeding, mowing, inning, gleaning, and thrething of the corne. And now alas, faith the poor cottier, there is no worke for me; I need not be thrust out of the town, I must be gone where I may get my living; and if I can get no house elsewhere, I and mine must starve. And hence it comes to passe that the open fielden townes have above double the number of cottiers they had wont to have, so that they not live one by another, & so put the fielden townes to vast expences in caring for those poor that these inclosures have made. And what enquiring everywhere is there of these poor cottiers (after the town

[Page 2]

is inclosed) to get an house in any place where they may have work?

Par.

All this goes ftill upon the fame false ground, that unpeopling towns and uncorning fields is the proper and necessary fruit and effect of inclosure: which experience shewes to be otherwise. I could instance a place, where within a short time after the fields were inclosed, more houses were built and repaired, then had been in many years before: where they that called themselves the poor, yet thought they were able enough to take land out of other mens hands, and to offer more for it then other men paid: and even then, when they did complain that they could not get work, the other inhabitants complained that they could not get workmen. So that you must not alwayes so much take heed to what such people say, as to the cause which they have to say so, which is not alwayes such as they pretend. For the incomes which Mr *Moore* saith that the poor cottier had in every tilth of the plow, in the manuring, weeding, mowing, inning, and threshing of the corne, if the husbandman (as usually it is in common fields, more then inclosures) had children and servants of his owne to doe his work, it is like the poor cottiers part was very little. And I believe it may be observed, that when townes are inclosed, although there be not so much use of household servants, as formerly there was, yet of day-labourers there is, or more,

Phil.

But that Mr *Moore* in the next words hath complained of, when he saith, such inclosure makes beggars of the children both of tenants and cottiers; the children of both usually become servants to the husbandman, and brought up at the plow &c. But now in such inclosed towns where there were kept 30, 40, 50, servants, there is not above three or four. Hence the droves of poor children, when they are reproved for begging, are complaining, we would willingly work, if any would set us on work.

Par.

It is well if Mr *Moore* hath had the good hap to meet with no poor children, but such as are willing to work; I wish that all men else could say so. But rather I fear the most of those, which come out of commonfields, have been so inured to idleness there, that they will not easily be brought to take any good pains any where. And if this objection drawn from the great disproportion in the number of servants usually kept there where the fields lying open are used in common, and where they are inclosed, carry any consequence with it against inclosure in generall (as I confesse in my apprehension it seemeth to do more then any of the rest) it must be upon this supposed principle, that all land in every place is to be used in such sort, as may occasion the employment

of moft people; which for all the fair fhew that it maketh, is falfe.

For

- 1. it is contrary to that generall rule, *Fruſtra fit per plura, quod fieri poteſt per pauciora*. It is a needleſſe, fruitleſſe vanity (at leaſt, if it be no worſe) to uſe many meanes for effecting of that, which may as well be done with few.
 - 2. It is not a practice agreeable to the pattern and example which both God and Nature have ſet; *Deus & Natura nihil agunt fruſtra*; God and Nature do nothing in vain. They are followers of neither, that purpoſely chooſe to do things in ſuch fort, as that more men muſt be employed in doing them, then is either neceſſary, or convenient.
 - 3. It is a great hinderance of the common good, when all thoſe people are needleſſy employed in one place, whereof ſome might be more profitably employed elfwhere.
 - 4. If that principle were true, the practice accordingly muſt bee to put down teames, and inſtead of plowing, and harrowing, and carting, to dig, and rake, and carry on mens backs; which if it be abſurd to doe, that rule, according unto which it is done, cannot be reaſonable.
- What follows next?

Sect. 13.

Phil.

A blow made at the root of all ſuch Incloſure, as Maſter *Moor* doth ſpeak againſt. In brief, faith he, is it not palpable, that the main inducement unto ſuch Incloſure is filthy lucre, and to be rid of Tenants, poor, and ſervants? So far are they from caring for the poor, and inſtead of bringing them into their houſes, to rid them of their houſes. As for example, they being hot upon ſuch incloſure in a town I am well acquainted with, one of the inhabitants gave this reaſon why they muſt do it, in theſe words, *viz.* The poor increaſe like Fleas, and live, and theſe vermine will eat us up, unleſſe we incloſe. And ſure it was plain dealing; for without queſtion he ſpoke the ſence of moſt of the reſt. What can you ſay to this?

Par.

To this I can ſay;

1. That all men who endeavour to provide for the prevention of a miſchief, or of an inconvenience, before it come, or for the removall of it when it is

come, are not induced thereunto by filthy lucre. Some men, for ought that Maſter *Moor* can tell to the contrary, do it out of confidence of that duty which they owe to God, themſelves, and others.

2. By this example, which Mr. *Moor* hath produced, it appeareth,

Phil.

that poverty, in the towne which ſpeaketh of, was not the follower, but the forerunner of Incloſure. And by that it ſhould ſeem, that whether care were taken of the poor there, or no, yet care was not taken to prevent their poverty, whilſt the fields lying open were uſed in common; or if it were, it had proved ineffectuall till then, and ſo was like to have done ſtill without incloſure.

3. *Charity thinketh no evill*, 1 Cor. 13.5. and if Maſter *Moore* be ſo charitable minded, as hee maketh ſhew, why could hee not take that ſpeech, which he relateth, in the beſt ſence, and think that hee by whom it was ſpoken, had a charitable intent to ſee the poor better provided for then they were, or could have been, if the future increaſe of them ſhould not have been prevented? Is there no mean between eating up the poor, and being eaten up by them? Cannot thoſe that are poor already be relieved, or maintained, unleſſe that others alſo may be added to increaſe the number? If the mans comparing thoſe poor, concerning whom he ſpake, to fleas and lice, and calling them vermine, be that which Maſter *Moore* took offence at, I will not goe about to juſtifie it. But I wiſh, that as it is better to prevent the increaſe of Fleas, and Lice, by cleanlineſs and diligence, then to catch them, and kill them; ſo none that pretend they have care of the poor, may ſtrengthen their hands, or give them encouragement in any of thoſe evil courſes, from whence occaſion may bee taken to thinke that they deſerve ſuch a compariſon.

Section 14.

Phil.

Page 12. He faith, Depopulation comes by degrees, and the next generation uſually knows neither Tenant nor Cottier in ſuch incloſed places; for townes we muſt call them no longer.

Par.

I think it will be hard for Maſter *Moor* to give inſtance of any ſuch place, where towns have been un-peopled in another generation, that were not at the firſt time of Incloſure. But in caſe he can, is there any neceſſity therefore that in all it muſt be ſo? Eſpecially conſidering what excellent Lawes have

been provided for redreffe of fuch abufes. Or, if fuch a thing might be feared indeed, for which the Law had not provided a remedy, in cafe it fhould happen, muft prefent milchiefs, fuch as the abufes of common fields are, be perpetually continued without redrefs, becaufe there is a poffibility of an after inconvenience? *Hicogonon furor eft nè mo iare mori*? Doth any thing look more like the madneffe of defpair

Phil.

then this? Not much unlike that of a fimple Ideot in the daies of Queen *Elizabeth*, when the Wars in *Ireland* were on foot: Who being in waggery told by one, that the Rebels were coming, made all the hafte home that he could; and begged of his aged Mother, that fhe would let him kil her himfelf, faying, he would do it handfomly, that fhe might not be killed by the Rebels; & was fo earneftly intent upon it, that the poor woman had much adoe by creeping under a bed to hide her felf. Thus it feemes, for fear of having Tenants and Cottiers turned out of a Town, he knows not when, Mr. *Moor* is fo charitably affected to them, that he would not have Inclofure brought in to prevent the continuance of thofe abufes, wherby they run headlong into prefent poverty.

Sect. 15.

Phil.

Page 13 he faith, If the Lord fhould flack his hand but a little, and withhold his more then ufual encrease of corn from us, it is fuch, Inclofure would make a flat Famin: as within thefe few yeares, what crying for bread, and complaining in our ftreets of fuch Inclofure? If then, what will become of us now? fince when there hath been fo much inclofed; and even at this prefent they are fo mad upon it, as though it was their project one time or other to ruin the poor.

Par.

For this, I told you before, that decay of Tillage and uncorning of fields, is no neceffary effect of inclofure in general, nor any effect of inclofure at all, if it be rightly ordered as it fhould be; but rather the contrary. And now I wil adde, that our prudent forefathers were of this mind: In whofe ftead we are rifen up a generation of men made as it were in the afternoon of nature, in whom weakneffe of judgement, and ftrength of paffion ftrive for the maftery, upon fuch equal termes as it is not eafie to determine, whether of the two we are, more witlefs, or more wilfull. Our prudent forethers, I fay, knew this fo wel, that when they fet themfelves of purpofe to prevent the decay of Tillage, and to provide for the increafe of Corn, they never prohibited

Inclosure at all, but rather gave encouragement unto it, by providing that for the better, and more commodious occupying of husbandry, of any the lands, meadows, or pastures, which shall bee allotted, or belonging to any house of husbandry, it shall be lawfull for any Lord to make exchange with any his tenants; or any tenant, or other person, with the assent of the Lord, to change the one with the other. *An. 39 Eliz. cap. 1.* Yea, how necessary they esteemed some Inclosure to bee, for the maintenance husbandry and tillage, may appear by the Statute

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made to that purpose, in the behalf of certain particular places in the County of *Hereford*, *an. 4 Jacobi cap. 11.* And when they studied to reform the abuses committed contrary to the Law by depopulation and decay of tillage, they never commanded the laying open again of Inclosures, as if hedges and ditches had been any either causes or occasions of such abuses, but made as strict Laws, with as severe penalties, for the punishment of those riotous persons that goe about to pull down inclosures, as of others, *1 Eliz. cap. 16.* Yea, if my memory deceive me not (for I cannot now tell where to finde it) I have long agoe read a provision made by Law, that if an Inclosure were pulled down, and the parties that did it could not be found, it should be made good again by the inhabitants of the next adjoining town: And I cannot but wonder, that any man, who pretendeth so highly to honour the present Parliament, as Mr. *Moor* doth, should imagine that the Members thereof will forget themselves so much, as to suffer the solid wisdom of their predecessors to be (overweighed I will not say, but) overwayed, or rather cryed down by the empty noise of hollow heads. Far be it from me to harbour so poor an opinion of them. If my discretion did not, yet my charity would teach me better.

Sect. 16.

Phil.

In the next words, page 13, he saith, I proceed to the fourth sort, which they make beggars, and they are those honest hearts, who out of a tender conscience take such care for the poor, as they dare not comply with them in their uncharitable designs, nor consent to such inclosure. Against these they fret and storm, and tell them in plaine termes they will undoe them, and make them beggars: And so they doe indeed, in bringing multiplicity of Law suits, Actions of Trespasse for nothing, or at least for trifles, as for coming over their ground, &c. and vex them all with long tedious suits in Chancery, to force them to doe against their consciences—. Alasse how many amongst us are now persecuted in this manner, because they would keep faith and a

good conscience, pure and unpotted, both before God and man?

Par.

Here Master *Moor* would have us believe, that all those who withstand & refuse to consent unto such inclosure, as he speaketh of, are honest hearted, and tender conſcienced men, such as have a care of the poor, and because they desire to keep faith and a good conscience, pure and unpotted, will not comply with uncharitable designs, although they be vexed and persecuted for it. Concerning all which I would I could say, as the Apostle doth, *Tit.* 1.13. *This witness is true.* But the contrary is so apparently evident, that if

some of the men, whom Master *Moor* doth mean, be the same that it is conceived they are, should I name them openly, those that know them would wonder, how Mr. *Moor* could be so much mistaken in them. But leaving the men, let us come to the matter, and setting aside Master *Moore's* restrictive termes, of uncharitable designs, and such Inclosure, let us consider whether it be such a cruel oppression, and not to be suffered in the land of uprightness, as hee pretends, that some men should be forced by suits in Chancery to consent to inclosure, I mean when it may be done upon equall and indifferent termes for all that have right, and with due respect unto provision for the poor: And whether such men refusing to give such consent; may not without transgression of the rules of righteousness, or breach of charity, have law suits, or actions of trespass brought against them.

For the former we know, that the most important affairs both of Church and Commonwealth are always determined in publick assemblies, as Parliaments, and the like, by the major part, although many times in number but little exceeding the other. And can it then be reasonable, that in particular towns, when the far greater number of those that are interested doe agree upon a course (as of inclosure) for the general good of them all, upon equall and indifferent termes for every one of them, and with due respect unto the poor, who have no interest of right amongst them, one or two, or but a few in comparison of the rest, should have liberty to withstand and hinder all? Especially, if it may appear that they do it meerly of perverseness, or for evill ends? For a court of Conscience (as the Chancery) to take cognizance of such a case, and force the refractory to conformity, when Courts of Law cannot, I conceive to be not only lawfull, but likewise very convenient, if not necessary, in respect of that interest, which the Commonwealth in generall hath in the welfare and prosperity of all its members in particular; and therefore hath great cause to take care, that the well-being, or well-doing of many may not be needlessly hindered by the wilfulness only of a few. For the later, as it is a transgression of the rule of

righteousness to bring suits and actions at Law against any man for nothing, and a breach of charity to multiply such suits and actions for trifles only, so, in determining whether the ground of the suit or action be nothing, or a trifle only, not the substance of the matter itself alone, but the circumstances also are to be considered. As for example, If your neighbour have an horse to sell you, and you offer him his full

price, if he refuse to let you have him, it is but a matter of unkindness, nothing to ground a suit or action at law upon. But if he promise you that he will have his horse at such a time for such a price, and you trust upon him, having occasion at the time appointed to ride a journey upon business of importance, if in the mean time he sell the horse unto another man, at a greater price, although he be willing to give you the overplus, so that you shall not need to sustain any loss that way; yet being by that means disappointed of your journey, and so damaged in the business, which you should have gone upon, in that respect you have just cause of action against your neighbour. So your neighbour's coming over your ground is in itself but a trifle, but if he practice it ordinarily, and will not take warning, intending to entitle himself to a way there without leave, where of right he hath none, it may be a just ground of a law suit, and action of Trespass. Therefore that, which Master *Moore* hath added, concerning the evil consequences of Law suits, and suits in Chancery, that some parties have grown distracted, and others have never lived a comfortable hour after all the days of their lives, is such as I can say nothing to, nor any man else to the purpose, unless I were acquainted with the particular cases, and the circumstances of them.

Sect. 17.

Phil.

Page 14. he saith, They usually upon such inclosure treble the price of their land: and this they get by flaying the skin off the poor.

Par.

If any man impose a greater rent upon his land, then it is worth, I will not go about either to justify or to excuse him: but that may be done upon land in common fields, as well as inclosure: and therefore this objection can be of no force against inclosure in general. Land may be inclosed, and yet no rent put upon it more than it is worth. And, if after inclosure, the profit of the land to the tenant be raised, to what proportion soever it be, double or treble, what wrong can it be unto him if his rent be raised accordingly? But, if the profit to the tenant be not raised, it is in vain for the Landlord to expect that

he should raise his rent, any more in grounds inclosed, then in common fields.

I told you before, in answer unto that which you alleadged out of page 10. that the over-rating of rents is not the inequality of them, but their disproportion to the profit that may be raised of the land: and so I say now. Besides that this objection makes nothing against inclosure there, where there are no tenants, but all

Phil.

men freeholders, that live upon their own lands. And more then that, to serve Master *Moore's* purpose, it must presuppose all Landlords rich men, and all Landlords of inclosed grounds, not Landlords of those that lie in common fields, such as pant, thirst, and are enflamed, as he speaks, with covetousness; and all tenants poor, yea such as have nothing but skin left upon them, that is, according to his own interpretation, page, 26. very poor: none of all which is always so. For tenants may be, and sometimes are, richer then their Landlords, and Landlords in common fields may pant, thirst, and be inflamed with covetousness, when Landlords of inclosed grounds may be pitiful and compassionate, yea bountiful and liberal unto the poor. And therefore that which he addeth page 15. I must tell these that thus sell the poor for trifles, that I am suspicious they will sell their God for gold, and Judas-like their Christ to fill the bagge: their profession is nothing, if they care not for the poor. A Gospel spirit is a giving spirit &c. let him bestow upon covetous oppressors, wheresoever he finds them, either in common fields, or grounds inclosed: so that he be careful not to mistake them, for fear he mark the sheep, with the brand that was made for none but for goats. Howsoever let this be observed, as given for granted by Master *Moore*, that upon such inclosure the price of the land may be trebled, which I confess is sometimes true, although not always, and then it will follow, that by hindring such inclosure, a double benefit to the owner in particular, and consequently in proportion unto the Common-wealth in general, is hindered: for upon such inclosure the price of the land could not be trebled, unless a treble profit might be raised. And this, for as much as concerns the Common-wealth in general, is evident by experience, because upon inclosure, the proportion of the taxes is accordingly raised above the rate, which they were formerly at, when the fields lay open, & the land was used in common.

Sect. 18.

Phil.

Page 19. he saith, These worldlings are the unprofitable burdens of the

earth, in whom there is no charity, liberality, hospitality nor humanity; such are greedy gripes, which by their inclosure would have no poor to live with them, nor by them, but delight to converse with beasts, and to this purpose turn corn into graffe, and men into beasts.

Par.

Such worldlings, as Master *Moore* there describeth (if there be any such) he may well call unprofitable burdens of the earth: but that all inclosers are such greedy gripes, as would have no poor to live with them, or by them, he hath not yet proved, not ever

will doe. And yet to say, that some of them would have no poor to live with them, or by them, may be so understood, that it would be no disparagement at all, but an high commendation: I mean so, that they would have the poor, who live with them, to live by them, that is, by their means, so that they may in time out-live their poverty, and be no more poore: which would be the best course of caring for the poor, that they could take. But, why doth Master *Moore* describe such greedy gripes, such worldlings, as hee there speaketh of, by delighting to converse with beasts, and say, that to this purpose they turn corn into graffe, and men into beasts, Are oxen, kine, and sheep beasts, any more then horses are? Or do not plowmen delight to converse with horses, as much as Shepherds, or herdsmen, do to converse with other cattle? Or are not horses for the plowmans use maintained with graffe, as well as oxen, kine and sheep? and, more then they, even with corn it selfe also? doth Master *Moore* conceive, that a plowman, as a plowman, is, or may be, more spirituall, then a shepherd, or an herdsman? and a shepherd, or an herdsman, as a shepherd, or an herdsman, more carnal, then a plowman? much good, if it can, may his conceit do him. But yet if he please, for the further satisfaction of others, let him tell them, which of the two it was, *Abel* a keeper of sheep, or *Cain* a tiller of the ground, unto whom the Lord had respect, and unto his offering, & unto which of the two he had not, *Gen.* 4.2. &c. And which doth he think were herdsmen and shepherds, which were plowmen and tillers of land, the *Israelites* in the land of *Goshen*, or the *Aegyptians* in the land of *Aegypt*? whether it was from the sheepfolds, or from the threshing floors, from following the ewes great with yong, or from holding the plow, that God tooke *David*, a man after his own heart, to feed *Jacob* his people, and *Israel* his inheritance? Pf. 78.70. &c. Though page 22 Master *Moore*, is pleased to say, that flesh is but fawce as it were, to make our bread relish better, and goe down the glibber: yet he may observe, that *Moses*, *Gen.* 4.2. doth first make mention of *Abels* keeping sheep, although he were but the younger brother, before he speaks of the elder brother *Cains* tilling the ground: and meat is not wont to be an after

additament to fawce, but fawce to meat; yet all this is but little to the purpose, because, as I told you before, decay of tillage is no necessary effect, nor any proper adjunct of inclosure, but rather the contrary.

I pray you proceed: for I believe there is something yet behind

Phil.

unfspoken to, which some men, if they can, will make a great matter of.

Sect. 19.

Phil.

It is true: for page 22. hee faith, How nigh are they to a curse, that use such means, that there may bee no corne, nor feed time, nor harvest, in the places where they inhabit? These break our staffe of bread. This argument prevails much with a carnal mind, and the natural conscience doth much perplex these oppressours. Oh (say they) though wee have a good mind to this business, yet the curse that followes such inclosure! And none of us here can be ignorant how visibly God hath pursued such inclosure with his several judgements, having written this very finne in the ludgement. I shall bee sparing of the particular vengeance that have followed this finne: only thus much I shall say, that the prophesie of *Isaiah* 5.9. is fulfilled on them, Many houses are desolate, even great and fair, without inhabitants: so that wee may say usually of them, as the Psalmist speaks of such. Ps. 37.35, 36. I have seen him in great power, and spreading himselfe like a green bay tree, yet he passed away, and loe he was not, yea I fought him, but he could not be found. His house and land hath vomited him out and his posteritie. Seldome the third generation can call those inclosed grounds his owne.

This natural conscience doth so terrifie them, when they are upon such cursed designs, that they can goe on with no complacency of spirit in it. When they are agreed upon Articles of such inclosure, how every one trembles to set his hand first to them, or to set the first spade in the ground of such inclosure, because God many times so visibly meets with the ringleaders. In one town being upon such inclosure, and to set their hands to the Articles, so terrible was the business, that no body would begin: at last one snatched the penne, subscribed his name, and bid them follow him all in the devils name. When they have thus inclosed, you shall hardly find who was the author of it, none will acknowledge themselves to be principal agents in it, though they have all done it. I have this one word to speak to these Mammonists that thus dare to fiddle conscience, 1 *John* 3.20. If thy heart condemn thee, God is greater then thine heart, and knoweth all things.

Par.

I thank you, that you have repeated Mr. *Moore's* words fo at large: I hope to make some good use of them: For

- 1 His frequent inserting of those restrictive termes, such meanes, these oppressors, such inclosure, this fin, those inclosed grounds,

such curfed designes, and the like, shew plainly that hee had no desire, that all men should understand him so, as it seemes you conceive some men may doe, namely, as speaking of inclosure in generall. And therefore I say, as well as he, if any man whosoever bee conscious to himself, that hee hath an heart exercised with covetous practises, that have made, or would make use of oppressive, unjust, uncharitable actions for inclosure, or of inclosure for oppressive, unjust, uncharitable ends, let him tremble at the expectation of a curse, and if it come let him not stick to charge the particular vengeance that follows him, upon his own particular sinne that went before. But what I say of inclosure I will in like manner say of land in common, If any man be conscious to himself of an heart exercised with covetous practises, that hee hath made, or would make use of oppressive, unjust, uncharitable actions to hinder inclosure; for oppressive, unjust, uncharitable ends, let him tremble at the expectation of a curse, and if it come, let him not stick to charge the particular vengeance that follows him, upon his own particular sin that went before. But, when Master *Moor* and I have said all this, we have said nothing at all against inclosure in generall, or against common fields, but only so farre forth as in common fields there is greater opportunity of covetous, unconscionable, oppressive, unjust, uncharitable practises, then there is in grounds inclosed.

- 2. When Mr. *Moor* faith of a covetous, unconscionable, oppressing, unjust, uncharitable incloser, his house and land hath vomited him out, seldom the third generation can call those inclosed grounds his own, either Master *Moor* must suppose him unblameable in other respects, or else he cannot certainly tell, that such a particular judgement was inflicted for that particular sin. If besides that hee were likewise an idolater, a blasphemor, a murderer, an adulterer, a drunkard, or the like, that particular judgement, for ought that Master *Moor* can tell, might bee brought upon him for some of those particular sins, as well, as for that, which hee is minded to ascribe it to. Yea it might bee for some antecedent sin of his Ancestors, as well as for his own. So uncertain a thing it is, as well as presumptuous, and therefore the more presumptuous, because it is uncertain, without speciall revelation from God himself to meddle with his secret counsels, and take upon us

to design the particular occasions of those things which are ordered and disposed of by his either operative, or permissive providence. You know what our Saviour

Answer

answered his disciples concerning the man that was blind from his birth, *John* 9.2, 3. *Who, say they, did sin, this man, or his parents, that hee was born blind? Neither hath this man sinned, faith he, nor his parents, but that the works of God should be made manifest in him.* And that generall rule of *Solomon* may serve to give answer unto a thousand such arguments as this. *No man knoweth either love or hatred by all that is before them: All things come alike to all, &c. Ecclef.* 9.1, 2, 3, and chap. 8.14. *There be just men, unto whom it happeneth according to the work of the wicked: Again there be wicked men, to whom it happeneth according to the work of the righteous.* Therefore the Apostles either precept or advice is, *Judge nothing before the time, untill the Lord come, who will bring to light the hidden things of darkness, and will make manifest the counsels of the hearts.* 1 Cor. 4.5.

- 3. When men of competent, yea of plentiful estates, who have not only opposed, but likewise hindered inclosure in the places where they lived, have afterward been known to runne out of all, so that not the third, nor the second generation, only, but not themselves in their own life time could call those common grounds their own, which they had been the means to hinder the inclosure of: would Master *Moor* thinke it charity in me, or in any man else, to say their houses and their lands had vomited them out, and their posterity, because out of cursed designs of their own they had hindered inclosure? If not, then let him call to mind that of our Saviour, *Mat.* 7.1, 2. *Judge not, that ye be not judged: For with what judgement ye judge, ye shall be judged; and with what measure ye mete, it shall be measured to you again:* And that of the Apostle *Rom.* 2.1. *Therefore thou art inexcusable, O man, whosoever thou art that judgest, &c.*
- 4. Complacency of spirit, or a trembling perplexity of conscience, in the things which men doe, or goe about, are not alwayes necessary evidences of lawfulness or unlawfulness in the things themselves: And there may be other reasons, without stifling of their consciences, or because their own hearts doe condemne them, that some men sometimes are not willing to own some actions (though lawful and laudable) or to acknowledge themselves to bee principall agents in them. I could give you instances enough to this purpose, but that I am loath to bee too tedious, and the matter is so plaine of it selfe, that it needs no proof.
- 5. I thinke it might not be amisse for Master *Moor*, and other men of his

mind, to examine their own experiences concerning those Inclosers, whom they thinke God hath visibly pursued with this particular

Par.

judgement, to be vomited out by their houses and lands, which they have inclosed, whether they are not decayed in their estates before, if not runne out of all, or so deeply indebted, that without such improvement, as they made of their estates by inclosure, they could not have been able to satisfie their creditors, and reserve any thing to be a means of future subsistence to themselves, and their posterity. If all, or some, or any of them, were such, the parting with that estate afterwards, which before was inclosed, may rather seem to have been a blessing, then a curse, as a means of the creditors better satisfaction, and the owners future freedom from a former intanglement at least, if not bondage also. But I spend too many words upon a matter manifest enough of it self, if the prejudicate opinions and passions of men did not fill up the eyes of their understandings, or render them resolute not to acknowledge even what they cannot choose but know. Yet one thing seems a little strange unto mee.

Phil.

What is that?

Sect. 20.

Par.

Master *Moor*, that hath filled his discourse in some places with froth that hath fallen from the mouths of other men, hath not once that I remember made mention of one thing, more materiall, and more nearly concerning himselfe, then most of the rest, if not all, and that which I think hath been one of the most effectuall meanes to hinder Inclosures, where they have been opposed. I meane the Churches right unto Tythes, and the wrong that is pretended would be done unto Ministers, if fields lying open, and used in common should bee inclosed. I wonder how Master *Moor* could misse this? Were the poor so much in his heart, that they put the Church quite out of his head?

Phil.

Whether Master *Moor* did purposely omit that particular, or no, I cannot tell. But, if hee did, I thinke hee deserves to be commended for it. Having spoken so plainly, as hee hath done, page 17. against selfishnesse, which hee calls fowing to the flesh, and having sayd expressly, page 27, that Ministers must not onely preach, but likewise practise this duty of charity, to beware of covetousnes, and to be of a giving spirit: he thinks it was well done of him to

forbear this argument, wherein hee himselfe is so nearly concerned, left that, if hee should have urged it, as he hath done others, some might have taken occasion thereupon to have retorted this Text, and sayd of him, as St. *John* did of *Judas*, *This he sayd, not that he cared for the poor*. And indeed to what purpose should an argument against Inclosure bee urged now from Tythes, and the right of the Church to them, when not onely the right of the

Church to tithes is questioned, but likewise tithes themselves cryed down by some, as not Jewish only, but Antichristian also. So that some men peradventure might suspect the urging of an argument against inclosure from tithes to be a designe for the continuance of tithes, as a necessary means for the preservation of common fields from inclosure, which usually those that have interest in tithes are great opposers of. But what ever was the reason of Master *Moore*s omitting it, I pray you let mee heare, what answer you would have given unto it, if he had urged it.

Par.

The same that I have done before, namely, that inclosure rightly ordered cannot be prejudicial to the right of the Church in tithes, or to any man, unto whom that right of tithes doth appertain.

For

- first, If as I said before, decay of tillage bee no proper or necessary adjunct, fruit and effect of inclosure rightly ordered, but rather the contrary: if more corne may be raised in grounds inclosed then in common fields, the tiths may be bettered, rather then impaired by inclosure.
- Secondly, In case those that have right to tithes are doubtfull of an uncertainty, in that whether men will doe what they might doe in that kind or no, their interest, as well as other mens, may be provided for in the agreement, and the tithes compounded for, either in money, or in land.
- Thirdly, If no agreement at all be made, yet if the tiths be all duly paid in kind, as they should be, what ever valew they be of, the right is preserved, and there is no wrong done; and that they may bee in grounds inclosed, as well as in common fields.

Phil.

Since you are so willing to tell me your mind in that particular, although it be not mentioned by Master *Moore*, I pray you do the like in one other thing.

Par.

What it that?

Sect. 21.

Phil.

The Apoftles rule is, Abftain from all appearance of evil. 1 *Thef.* 5.22. and *Philip.* 4.8. amongst the properties of the things that muft be thought upon, one is, that they be of good report. But againft inclofure generally it is objected by fome men, that it is of evil report, that it hath an appearance of evil in it, and therefore muft not be thought upon, but abftained from. What do you fay to this?

Par.

To this I fay,

- Firft, That an appearance of evil, and an evil report, are juft occasions for men to fufpend their refolutions of doing thofe things,

[Pause]

wherein there is fuch an appearance, concerning which there is fuch a report, until they have ferioufly confidered of the matter, and thorowly tryed whether the things themfelves bee fuch indeed as they appear, and whether they ought to bee fo reported of. But when they come to fet up their reft, which fide they will fit down upon, and fettle their refolution what to doe indeed, it muft not be according unto that which doth appear, but that which is, not according unto that which is reported, but according unto that which ought to be. It is the Apoftles rule, 1 *Thef.* 5, 21. Prove all things, hold faft that which is good. and our Saviours, *John* 7.24. Judge not according to the appearance, but judge righteous judgement.

- 2. That as evil indeed and the appearance of evill are two diftinct things, fo it is one thing to be ill reported of, and another thing to be of evil report. Thofe things alone are of evil report, which are evil indeed, and ought to bee fo reported of. But many things are ill reported of, which only appears to be evill, and are not. *Multa videntur, quae non funt.* So the way of Chriftian religion it felf, the way wherein *Paul* profefed to worfhip the God of his fathers, by his own confeffion, was called herefie, *Acts*, 24.14. and, by the teftimonie of the Jewes, was every where fpoken againft, *Acts* 28, 22. yea our favour faith to his difciples, *Mat.* 5.11. *Bleffed are ye when men revile you, and fhall fay all manner of evil againft you falfly for fake.*
- 3. That although in fome inclofure there may bee, and too often is, not an appearance only of evill, but evill indeed, though fome

inclosures have been indeed of evil report, that is, such as deserve to be evil reported of; Yet all inclosures neither have been are, or need to be such.

- 4. That even in this particular also, as much may be said of common-fields, as of Inclosures; that in some at least, if not in all commonfields, there is not only appearance of evil, but evil indeed, and that they are not only it reported of, but likewise deserve to be so: as I think may sufficiently appear by that, which hath been said already. Is there any thing else in Master *Moore's* discourse, which you make question of?

Sect. 22.

Phil.

Not that I remember now. But I shall thankfully acknowledge it a further favour, if you will be pleased to answer my desire in one thing more.

Par.

What may that be?

Phil.

I hear that now Master *Moor* doth intend to procure a Petition against inclosure generally subscribed by the inhabitants of divers Counties, to be presented to the Parliament: which may peradventure give occasion to others to procure an Anti-petition in behalfe of inclosure

subscribed in the same Counties. By which means it may truly appear, who they are, and of what condition, that stand for common fields, or for inclosure. In case such a course should be taken, what forme of Petition doe you think fit to be presented in behalfe of inclosure?

Par.

For that you shall pardon mee, I will not presume to take upon me so much, as to thinke of the forme of such a Petition, but leave it to men of more ability, and experience, better acquainted with such courses. And for the matter of such a Petition, I have told you so much of my mind already, that I need to say no more, either of what I think fit in such a case to be desired, or of what may be urged as reason to induce to a concession of it. But peradventure, if this discourse, which now you and I have had, should be known to some of them, unto whom Mr. *Moor* presented his, they would think it more fit for him to bestow his pains in seeking to reform the evils and

abuses in common fields, there where he is acquainted, then in folliciting strangers for a Petition againft Inclofure. Howfoever, although I grant not your requeft in this, yet having already answered your defire in other things, give me leave likewife to propofe fome queftions unto you. I will not put you to the trouble now to anfwer them, but if you know any that are adverfaries to inclofure in general, defire them, if they can, and will, to doe it for you.

- Firft, doth it appear by any text in Scripture, or by the teftimony of any Author whatfoever, that ever any fields lay open, and were ufed in common, fo as now they are in fome places of *England* (thofe in-land Counties in particular, where inclofure is now fo much inveighed againft) either in the land of *Canaan*, the lot of *Ifraels* inheritance, or in any other countrey whatfoever?
- Secondly, doth it appear, that breaking down walls, or taking away hedges, whereby grounds formerly inclofed, and kept feveral, may again bee layd open, and ufed in common, is any where in Scripture fpoken of otherwife, then as an accurfed thing, either the fruit or punifhment of fin?
- Thirdly, is there any probability, that it can be any more unlawfull to inclofe hereafter any land which is now in common, then it is neceffary now, to lay open all the land, which hath been heretofore inclofed?
- Fourthly, is it true, or no, which hath been faid by fome, that it was a practice of policy in King *William* the Conqueror, to have

Common mens lands layd fcattered, as they are in common fields, of purpofe to minifter unto them fo much occafion of contention with one another, that they might not have opportunity and leifure to unite againft him, in confideration whereof it hath been called the Conquerours curfe?

I will fay no more, but only trim up this homely difcourfe with a few fine lines borrowed from him, in all whole writings wit and art doe equally triumph together; Mr. *Fuller* I mean, who in the fecond book and thirteenth chapter of *The holy State*, concerning the good Landlord, amongft other things writeth thus. *He detefts and abhors all inclofure with depopulation*. And, becaufe this may feem a matter of importance, we will break it into feveral Propofitions.

1. Inclofure may bee without depopulating. Infinite examples fhew this to be true. But depopulation hath caft a flander on Inclofure, which becaufe often done with it, people fufpect it cannot bee done without it.
2. Inclofure made without depopulating, is injurious unto none. I mean, if

proportionable allotments bee made to the poor for their commonage, and free and lease-holders have a considerable share with the Lord of the Manor.

3. Inclosure without depopulating is beneficial to private persons. Then have they more power and comfort to improve their own parts, & for the time and manner thereof may mold it to their own convenience. The Monarch of one Acre will make more profit thereof, than he that hath his share in forty in common.

4. Inclosure without depopulating is profitable to the Commonwealth. If injurious to no private person, and profitable to them all, it must needs be beneficial to the Commonwealth, which is but the *summa totalis* of sundry persons as several figures. Besides if a Mathematician should count the wood in the hedges, to what a mighty Forfeiture would it amount? This underwood serves for supplies to save timber from burning, otherwise our wooden walls in the water must have been sent to the fire. Add to this the strength of an inclosed country against a foreign Invasion. Hedges and counter hedges (having in number what they want in height and depth) serve for barricadoes, and will stick as birdlime in the wings of the Horse, & scotch the wheeling about of the Foot. Small resistance will make the enemy to earn every mile of ground as he marches. Object not, That Inclosure destroys Tillage, the staffe of a country, for it need not all be converted to Pasturage: *Cain and Abel* may

very well agree in the Commonwealth, the Plowman and Shepherd part the Inclosures betwixt them.

5. Inclosure with Depopulation is a canker to the Commonwealth. It needs no proof, woful experience shews how it unhouses thousands of people, till desperate need thrusts them on the Gallows. Long time had this land been sick of a Pleurisie of people, if not let blood in the Western plantations.

6. Inclosure with depopulation endamageth the parties themselves: 'Tis a Paradox, and yet a truth, that reason shews such inclosures to be gainfull, and experience proves them to be losse to the makers. It may be because God being [...], a lover of mankind, and mens society, and having said unto then, *Multiply and increase*, counts it an affront unto him that men depopulate; whereas Bees daily swarm, men make the hives fewer. The Margin shall direct you to the Author, that counts eleven Mannors in *Northamptonshire* thus inclosed,

Mr.
Benthams

which Towns have vomited out (to use his own expression) and unburthened themselves of their former defolating owners, and I think their posterity.

Lectori candido S.

Daveniam fubitis: non displicuisse meretur,
Qui prodesse magis, quàm placuisse cupit.

Pardon this fudden work: who strives to profit,
More then to please, should not repent him of it.

FINIS.

Information about this book

Title statement

Considerations concerning common fields, and inclosures, dialoguewise, digested into a deliberative discourse between two supposed friends, Philopeustus and Parrhesiastes. And tending partly to state and determine the question of lawfulness or unlawfulness between inclosures, and common fields, partly to answer some passages, which may be thought to make against inclosure in general, in another discourse lately published by Mr John Moore, under this title, The crying sinne of England, of not caring for the poor.

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Creation

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Editorial practices

EEBO-TCP is a partnership between the Universities of Michigan and Oxford and the publisher ProQuest to create accurately transcribed and encoded texts based on the image sets published by ProQuest via their Early English Books Online (EEBO) database (<http://eebo.chadwyck.com>). The general aim of EEBO-TCP is to encode one copy (usually the first edition) of every monographic English-language title published between 1473 and 1700 available in EEBO.

EEBO-TCP aimed to produce large quantities of textual data within the usual project restraints of time and funding, and therefore chose to create diplomatic transcriptions (as opposed to critical editions) with light-touch, mainly structural encoding based on the Text Encoding Initiative (<http://www.tei-c.org>).

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Image sets were sent to external keying companies for transcription and basic encoding. Quality assurance was then carried out by editorial teams in Oxford and Michigan. 5% (or 5 pages, whichever is the greater) of each text was proofread for accuracy and those which did not meet QA standards were returned to the keyers to be redone. After proofreading, the encoding was enhanced and/or corrected and characters marked as illegible were corrected where possible up to a limit of 100 instances per text. Any remaining illegibles were encoded as <gap>s. Understanding these processes should make clear that, while the overall quality of TCP data is very good, some errors will remain and some readable characters will be marked as illegible. Users should bear in mind that in all likelihood such instances will never have been looked at by a TCP editor.

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